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UNITED STATES DEPARTMENT OF AGRICULTURE
Bureau of Entomology and Plant Quarantine
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INFORMATION CONCERNING THE ENTRY OF PLANT MATERIAL UNDER
QUARANTINE NO. 37, THE NURSERY STOCK, PLANT, AND SEED QUARANTINE

INTRODUCTION

This circular has been prepared for the purposes of (1) facilitating the answering of inquiries pertaining to the importation of plant propagating material under the provisions of Quarantine No. 37, and (2) giving information which will be of assistance in making importations of such propagating material with the least delay. Section I of this circular presents a brief outline of the successive steps to be taken in this procedure. Section II is both explanatory of these steps and informative on related topics. Of necessity the circular is lengthy but most importers will not be concerned with every subject covered. The checked items are either in reply to your inquiry or give information which it is pertinent for you to have in connection with your proposed importation.

SECTION I. OUTLINE OF PROCEDURE FOR MAKING IMPORTATIONS

- A. Ascertain from Section II, paragraph A, of this circular whether the material is enterable into the United States. If enterable under Quar. 37, note whether it falls under regulation 2, 3, 14, or 15.
- B. Apply for the necessary permit as directed in Section II, paragraph B, of this circular.
- C. When the permit has been received, send your order for the plant material to the shipper with your instructions as summarized in Section II, paragraph C.
- D. Except for importations by mail valued at less than \$100, before the arrival of the shipment arrange for a customs broker or agent at the port of arrival to attend to all entry details if this cannot be done personally. See Section II, paragraph D, of this circular for further details.

SECTION II. EXPLANATION OF PROCEDURE FOR MAKING IMPORTATIONS OF PLANT MATERIAL UNDER QUARANTINE NO. 37

- A. MATERIAL ENTERABLE.—Plant material that is prohibited entry by special quarantine action may not be imported under Quar. 37. Appendix A, Quar. 37, summarizes the special quarantines; if special restrictions apply to the entry of any item listed on an application for permit the applicant will be appropriately informed. If in doubt about any kind of plant, write to this Bureau and information will be furnished as to the restrictions.
- I. Regulation 2.—This regulation allows the entry without permit or other restriction of field, vegetable, and flower seeds and of plant products imported for food, medicinal, or manufacturing purposes.
- II. Regulation 3.—From countries maintaining recognized inspection service entry may be made under permit valid until revoked, in unlimited quantity without restriction as to use, of seeds of trees, ornamental shrubs, and hardy perennial plants, and nuts including palm seeds, when free from pulp; bulbs of the following genera: Lilium, Convallaria, Hyacinthus, Tulipa, Crocus, Chionodoxa, Galanthus, Scilla, Fritillaria, Muscari, Ixia and Erantibus; cuttings, scions, and buds of fruit and nut trees except from the Orient (including Australia and New Zealand); rose stocks; fruits and vegetables for planting purposes if enterable under Quarantine 56. From countries not maintaining recognized inspection service the products mentioned above, except seeds, may be entered under individual permits issued for each importation; seeds may enter in unlimited quantities under the continuing permit. A list of the countries maintaining recognized inspection service appears at the end of this circular.
- III. Regulation 14.—This regulation makes provision for the entry under special permit of limited quantities of plant material not enterable under regulations 2, 3, and 15, for the purposes stated in the regulation.
- IV. Regulation 15.—This regulation provides for the entry from Canada of plant material that may be regarded as native to or a standard product of the Dominion. There are a few exceptions which, if encountered on an application for permit, will be explained promptly to the applicant.
- B. APPLICATION FOR PERMIT.—In preparing the application (Form 207 or 687), it is important to state whether the shipment is to come by mail, in baggage, or by freight or express. If by mail, state the estimated number of packages.
- I. Regulation 2.—If the material falls under regulation 2, no application for permit need be made, because no permit is necessary.
- II. Regulations 3 and 15.—For material enterable under regulation 3 or 15 apply on Form 687. One application is sufficient to cover importations to be made under regulation 3 from countries maintaining recognized inspection service and tree seeds from any country. Separate applications should be submitted covering each shipment under regulation 3 from countries not maintaining recognized inspection service and for each shipment under regulation 15 from Canada.
- III. Regulation 14.—Apply on Form 207. A separate application is to be submitted for the importation from each shipper, but the importation from each shipper may be made in more than one shipment within the time limit of the permit.
- C. IMPORTER'S INSTRUCTIONS TO SHIPPER.—When the permit has been received, the permit number is to be transmitted to the shipper with the order for the plant material, together with any special instructions received with the permit. In this interest the importer should instruct the shipper as follows, to—
 - I. Send plants that are clean and healthy, free from any kind of insect pest or plant disease.
 - II. Attach to the invoice the original inspection certificate of the authorized official of country of origin and a copy certificate to each container in the shipment.
 - III. Ship the plants free from soil.
 - IV. Label the material by botanical names or identifying numbers.
 - V. Send the plants within the age-size limit, if such is designated in the permit.
 - VI. Use approved packing material. (See reg. 7, or circular B.E.P.Q. --369).
 - VII. Ship in strong containers. This is particularly important when shipping by mail, as fragile boxes often arrive badly damaged.
 - VIII. Make no substitution of material for that authorized by the permit and no addition to the quantity authorized if the permit specifies a definite quantity.
 - IX. Send two true copies of the invoice with the shipment; place these inside the parcel when shipping by mail.
 - X. Mark the shipment as follows:
 1. For shipment by freight or express—
 - (a) If under regulation 3 or 15, show (1) permit number; (2) nature and quantity of contents; (3) district and locality of country where grown; (4) name and address of importer; (5) name and address of shipper.
 - (b) If under regulation 14, show (1) permit number; (2) name of importer but not his address; (3) address of this Bureau at the inspection port named in the permit.
 2. For all mail shipments—Address the parcels only with the special mail tags and place no forwarding address on the outer wrapper. The permit number on the tags will identify the shipment on arrival. The special yellow and green tags are to be transmitted to the shipper with the directions accompanying them. Caution the shipper to use the tags sent him for the particular shipment and against confusing them with tags for other shipments.
- NOTE: For baggage shipments the importer should follow the instructions for freight or express shipments as though he were the shipper.
- D. ARRANGEMENTS FOR HANDLING THE SHIPMENT ON ARRIVAL.—
 - I. For mail shipments valued at less than \$100.—After sending instructions to the shipper, the importer need do nothing until the shipment arrives at the post office of destination, whereupon the customs duty is to be paid to the postmaster or customs official at that place.
 - II. For mail shipments valued at more than \$100.—Same as for freight or express shipments, discussed under the succeeding heading, except that the notice of arrival and notice of shipment need not be submitted by the importer.
 - III. For freight or express shipments.—In order to provide for proper attention to the details of handling such shipments the importer should arrange in advance of arrival for a broker or agent to attend to them when the shipments are received. These details may include any (OVER)

or all of the following:

1. Clearance through customs, which includes making customs entry, for which an invoice is necessary.
2. Submission of notices of arrival and notices of shipment on forms provided for the purpose, as required by regulations 10 and 11.
3. Reconditioning the shipment.
4. Opening and repacking cases incident to inspections.
5. Furnishing and substituting fresh packing material for improper or prohibited packing.
6. Arrangements to meet charges for handling, transportation, storage, drayage, or for disinfection or other treatment.
7. Arrangements for the disposal of infested material, if this is required.

IV. For importations brought in as baggage.—

1. Material covered by regulation 3.—The importer should be prepared in person or through an agent to attend to the details of entry enumerated in Section II, paragraph D, III, above.
2. Material covered by regulation 14.—If the port of arrival is other than Washington, D.C., San Francisco, Calif., Seattle, Wash., San Juan, P.R., or Honolulu, T.H., the importer should be prepared to ship the importation in bond at his expense to the port designated in the permit and he should arrange for entry details at the port of inspection, as outlined in Section II, paragraph D, III.
3. Material covered by regulation 15.—Material from Canada under permit, which has been certified both as to origin and inspection, will be allowed to pass at any point on the Canadian frontier at which an inspector of the Bureau of Customs is located, unless the permit limits entry to a specified port.

E. PROCEDURE FOR ENTRY BY MAIL.—Material falling under regulation 2 may be imported by mail without permit. Authorization for importation by mail of other material enterable will be given on request and tags for such mail shipments will be furnished. These tags will bear the number of the permit authorizing the importation, which identifies the permittee, and will direct the material to this Bureau at one of the following points for inspection: Washington, D.C., San Francisco, Calif., Seattle, Wash., San Juan, P.R., or Honolulu, T.H. When attached to the package the tag will indicate to the foreign postmaster that he may accept the package for mailing to this country in accordance with the postal regulations. By special arrangements with the U.S. Post Office Department, such mail shipments will be forwarded after inspection to the importer without the payment of additional postage. The customs requirements are somewhat simplified; by special arrangements such shipments are permitted to come in customs custody directly to the inspection station named, thus obviating the necessity for any broker's services for forwarding from the port of first arrival. The importer has to provide for customs clearance, at the inspection point, of mail shipments valued at \$100 or more. (See Section II, paragraph D, II.) Shipments valued at less than \$100 will be forwarded after inspection and release, under the original postage, to the post office of destination and the customs duty, if any, is to be paid to the postmaster at that place.

Notices of arrival and notices of shipment need not be submitted by the importer for shipments arriving by mail. It is especially important that an invoice in duplicate accompany the shipment. In view of the fact that mail importations are usually of small size, it is generally not necessary to call upon the importer to arrange for the other details described in Section II, paragraph D, III. These are attended to by the inspector handling the shipment, unless there is an unusual situation presenting an excessive demand on the facilities or personnel of the Department which should properly be met by the importer.

F. CHARGES.—The Department makes no charge for mail tags, permits, or forms, nor for inspection and supervision of disinfection, but the importer is liable for all entry, transportation, disinfection, storage, and handling charges and should arrange to meet them in advance of the arrival of the shipment.

G. DUTY.—For specific information as to the rate of duty on a proposed importation, consult the nearest collector of customs, or write to the Bureau of Customs, Treasury Department, Washington, D.C.

H. FREEDOM FROM SOIL.—Plant material imported from Canada under regulation 15 need not be free from soil. Regulation 7 authorizes the use of sterile or sterilized soil for packing material for bulbs, corms, nuts, and seeds. (See reg. 7, and circular B.E.P.Q.—369). All other plant material offered for entry must be freed from soil as required by regulation 7. The method of soil removal is left to the shipper.

I. CERTIFICATION.—Shipments from countries maintaining recognized inspection service must be certified in accordance with the requirements of regulation 7; the invoice must be accompanied by the original certificate and each container must bear a copy certificate, issued by an authorized official of the country of origin, stating that he has inspected the shipment at time of packing and finds, or believes, it to be free from injurious pests. He must also certify that the packing material has not been used previously in connection with living plants and that it is free from soil; and that sterilized soil, if used for bulbs, corms, seeds, and nuts, meets the requirements.

J. DELIVERY TO THE BUREAU FOR INSPECTION.—

I. Mail shipments.—The postal service will deliver to the proper inspection station all shipments of plants received in the mail.

II. Freight, express, or baggage shipments.—Shipments received by freight, express, or baggage must be made accessible for inspection. If inspection is limited to a specified port or place, delivery must be made at the importer's expense to the port or place of inspection specified.

III. Freight, express, or baggage shipments under regulation 15, from Canada.—The procedure for these importations varies somewhat from that outlined in paragraph J, II, above, and is covered in instructions accompanying each permit.

K. INSPECTION AND DISINFECTION.—If upon inspection the material is found to harbor any insects or plant diseases, disinfection or other treatment may be required if the pests present can be eliminated by that means, otherwise the shipment may be refused entry. Unless a precautionary treatment is a routine condition of entry, shipments apparently clean and healthy will not be treated. All treatments are given at the risk of the importer. It is to the advantage of the importer to insist that the shipper send only material that is free of insects and diseases. If the importer does not want his shipment treated without his prior approval, he should communicate his wishes to the Bureau in advance of the arrival of the shipment and they will receive consideration insofar as they do not conflict with necessary action as per paragraph L, following.

L. DISPOSAL OF INFESTED SHIPMENTS.—If the shipment is infected or infested by serious pests and effective treatment cannot be given, it may be refused entry, and if there exists an immediate danger of pest escape, it will be forthwith destroyed. If safety permits, the shipment will be held for a period of 20 days and the importer notified so that he may arrange for exportation or destruction. If the importer fails to advise as to disposition desired, the shipment will be abandoned to customs for destruction at the expiration of the 20-day period.

Mail shipments.—Shipments received by mail and refused entry will be handled in accordance with the customs and postal regulations covering the procedure.

M. CARE OF PLANTS DURING INSPECTION.—The Bureau's plant quarantine inspection service not only is concerned in seeing that importations are made free of pest risk, but is likewise interested in giving careful attention to the welfare of the plants and in attending to incidental entry details of small importations as a service to the permittee. If the importer desires special handling or treatment of his shipment, he should inform the Bureau of his wishes in advance of the arrival of the shipment.

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Publications sent herewith as checked:

() Quarantine No. 37. () Circular B.E.P.Q.—369
() Form 687 () Form 207
() List of current quarantines. ()

List of foreign countries which have provided for inspection and certification in conformity with the requirements of the Plant Quarantine Act of August 20, 1912. (Appendix B, Quar. 37):

Australia, Austria, Azores, Barbados, Belgium, Bermuda, Brazil, British Guiana, Canada, Cuba, Czechoslovakia*, Denmark, England, France, Germany, Grand Duchy of Luxembourg, Guatemala, Holland, Hong Kong, Hungary*, Ireland, Italy, Jamaica, Japan, Java, Leeward Islands (Antigua, St. Christopher-Nevis, Dominica, Montserrat, Virgin Islands), Mexico, New Zealand, Philippine Islands, Scotland, Spain, Straits Settlements, Switzerland, Trinidad, Union of South Africa, Wales, and the Windward Islands (Granada, St. Lucia, St. Vincent).

*Added since publication of Appendix B.